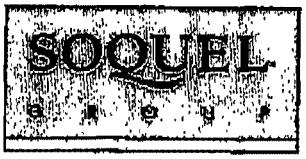
EXHIBIT 12



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September 3, 2008

BY FACSIMILE

Examiner Ryan F. Pitaro
United States Patent & Trademark Office
Alexandria, VA
USA

Dear Examiner Pitaro,

RE: Interview agenda for US Serial No. 10/315,250
USER INTERFACE FOR MOBILE HANDHELD COMPUTER UNIT
Filed on December 10, 2002
In the name of Neonode AB

This letter regards the agenda for our telephone interview, which is scheduled for Thursday, September 4, 2008 at 10:30 AM.

The above referenced application was recently transferred to me, and I am attaching the Power of Attorney I received and mailed to the USPTO.

For the interview, I would like to discuss the attached draft proposed amendment. Specifically, I would like to discuss the touch-and-glide thumb movement, variously referred to as "swiping", "rubbing", "gliding" and "sliding". This movement is described in claim 1 as "an object touching a location in the touch sensitive area at which the representation of the function is displayed and then gliding along the touch sensitive area away from the location."

I understand that you have seen a demonstration of Neonode's touch-sensitive user interface. I believe that the touch-and-glide movement of the claimed invention is different than the input movements disclosed in the cited prior art of Carlson, Milic-Frayling, Conrad, Kopitzke, Wynn, Strietelmeier and Chew.

The tables provided in the draft response summarize some of the distinguishing features of the touch-and-glide movement. In this regard, I would like to point out the following distinctions.

a. The touch-and-glide movement activates the function displayed at the touch point.
b. At any given time, the touch-and-glide movement may be used for activating any one of a plurality of different functions.
c. The touch-and-glide movement may also be used for scrolling up or down through a list.
d. Processing the touch-and-glide movement requires that the user interface recognize a glide and identify the function displayed at the starting location of the glide.
e. Processing the touch-and-glide movement requires that the user interface recognize a glide in any of a plurality of directions.
f. The same hand may be used to hold the device and perform the touch-and-glide thumb movement.

This is what I would like to discuss during our telephone interview.

I am also attaching a clean version of the proposed amended claims, without markings, for ease of reference.

I appreciate your courtesy of granting the interview, and I look forward to speaking with you.

Sincerely yours,

Marc A. Berger
U.S. Reg. No. 44,029

Encl. Power of Attorney (2 pages)
Draft proposed amendment – not to be entered (29 pages)
Clean version of amended claims without markings (5 pages)

Attorney's Docket No.: NEONODE.P004 *PATENT*

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Patent Application of: Magnus Goertz	Examiner: Ryan F. Pitaro
Application No: 10/315,250	Art Unit: 2174
Filed: December 10, 2002	
For: USER INTERFACE FOR MOBILE HANDHELD COMPUTER UNIT	

Mail Stop AMENDMENT
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

DRAFT PROPOSED AMENDMENT --

NOT TO BE ENTERED

Sir:

In response to the Office Action dated July 11, 2008, applicant respectfully requests that the above-identified application be amended as follows:

IN THE DESCRIPTION:

Please amend the specification as follows.

Page 1, ninth full paragraph:

Since the users have gotten used to small handheld units, it is hard to move towards larger units. This has led to foldable keyboards, different kinds [[if]] of joy sticks and different kinds of touch sensitive displays and pads intended to help in providing a user interface that is suitable for small handheld ~~compute~~ computer units.

Page 2, first full paragraph:

It is a problem to provide a user-friendly interface that is adapted to handle a large amount of information and different kinds of traditional computer-related applications on a small handheld computer unit.

Page 3, sixth full paragraph:

In order to provide a task and file management in a user interface for a handheld mobile computer, the present invention teaches that, if the third function is activated, the display area is adapted to display a list with a library of available applications and files on the computer [[unit]] unit. A selection of an application will start the application, and a selection of a file will open the file in an application intended for the file.

Page 7, fifth full paragraph:

It should [[b]] be understood that all lists in the computer unit, such as a list of contact information in an address book, a

list of e-mail messages in a mailbox, or a telephone log, can be managed in the above described manner.

Page 7, sixth full paragraph:

The list 231 can be adapted to present only files or only applications. In this case, the top area of the list 231 can present a field 233 through which the content [[if]] of the list 231 can be altered. If the list only presents files, then the field 233 can display a representation of a task manager and a selection of the field 233 will cause the list 231 to alter to present only applications, and if the list 231 only presents applications, then the field 233 displays a representation of a file manager and a selection of the field 233 will cause the list 231 to alter and present only files.

Page 7, eighth full paragraph:

Figure 9 shows that if the number of applications and/or files in the list 231 exceeds the number of applications and/or files that can be presented on the display area 3, and if the object 4 is moved to the top or bottom position of the display area, then lifted, replaced on the display area, and then again moved to the top or bottom of the display area, then the content of the display area will be replaced one whole page, meaning that if the object 4 is positioned N at the bottom 3b of the display area 3, then lifted, replaced on the display area 3, and then again moved M to the bottom 3b of the display area 3, then the content 31 of the display area 3 will be replaced P by the following applications and/or files 32 in the list 231. In the same way, but not shown in the figure, if the object is ~~position~~ positioned at the top of the display area, then lifted, replaced on the display area 3, and then again moved to the top of the

display area, the content of the display area will be replaced by the preceding applications and/or files in the list.

Publication No. US 2004/0109013 A1, paragraph [0069]:

As shown in figure 13, the present invention relates to a user interface for a hand held mobile unit that preferably can be manageable with one hand. Hence the present invention teaches that the user interface is adapted to a touch sensitive area [[I]] 1 with a size that is in the order of 2-3 inches, meaning the diagonal distance W between two corners of the touch sensitive area 1.

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IN THE CLAIMS:

Please substitute the following claims for the pending claims with the same number:

1. (currently amended) A computer readable medium storing a computer program with computer program code, which, when read by a mobile handheld computer unit, allows the computer to present a user interface for the mobile handheld computer unit, the user interface comprising:

a touch sensitive area ~~that is simultaneously divided into a menu area and a display area, the mobile handheld computer unit being adapted to run several applications simultaneously, and to present an active application on top of any other application on said display area, characterised in, that:~~

~~said menu area simultaneously presents~~ in which representations of a ~~first function that is a general application dependent function, a second function that is a keyboard function, and a third function that is a task and file manager~~ plurality of functions are displayed, and

each function of said ~~first, second, and third functions simultaneously represented in said menu area~~ plurality of functions being activated by ~~the single step of a blunt~~ an object touching a location in the touch sensitive area at which the representation of the function is displayed and then gliding along the touch sensitive area away from the location ~~moving in a direction from a starting point that is the representation of the corresponding one of said first, second, and third functions in said menu area to said display area being detected by said touch sensitive area, thereby allowing low precision navigation of the user~~

PAGE 10/39 * RCVD AT 9/3/2008 3:08:58 AM [Eastern Daylight Time] * SVR:USPTO-EFXRF-6/10 * DNIS:2738300 * CSID:972 8 9315208 * DURATION (mm-ss):05-46

~~interface using the blunt object, so that the user interface can be operated by one hand, where the blunt object is a finger~~.

2. (currently amended) The computer readable medium of claim **1**, wherein one function from the plurality of functions, when ~~the mobile handheld computer unit runs an operating system, the user interface is characterised in, that, if said first function is~~ activated, causes the user interface ~~is adapted~~ to display icons representing different services or settings ~~depending on the current~~ for a currently active application~~, that one of said icons always represents a "help" service, regardless of application, and that, if no application is current active on the mobile handheld computer unit, said icons are adapted to represent services or settings of the operating system of the mobile handheld computer unit~~.

3. (currently amended) The computer readable medium of claim **2**, wherein the user interface is characterised in, that a selection of a preferred service or setting is done by tapping on a ~~corresponding~~ display icon corresponding to the preferred service or setting.

4. (currently amended) The computer readable medium of claim **1**, wherein ~~the user interface is characterised in,~~

~~that, if said second~~ one function from the plurality of functions, when [[is]] activated, ~~said display area is adapted~~ causes the user interface to display a keyboard and a text field~~,~~

~~that, if a text passage in said active application is highlighted, said text passage is displayed in said text field for editing through said keyboard and that said highlighted test passage is replaced by said edited text passage when said second function is deactivated, and~~

~~- that, if no text passage in said active application is highlighted, said text field is available for inputting and editing of text through said keyboard~~.

5. (currently amended) The computer readable medium of claim **4**, wherein ~~the user interface is characterised in, that if no text passage in said active application is highlighted,~~ said text field is used for inputting and editing of text through said keyboard~~, then~~

~~- said first function can be activated, or~~

~~- said second function can be closed, in which a choice of saving or deleting said inputted text is given, where the choice of saving said inputted text results in an activation of said first function,~~

~~in which said first function will present services or settings available for said inputted text~~.

6. (currently amended) The computer readable medium of claim **1**, wherein ~~the user interface is characterised in, that, if said third~~ one function from the plurality of functions, when [[is]] activated, ~~said display area is adapted~~ causes the user interface to display a list with a library of available applications and files on the mobile handheld computer unit~~,~~ ~~that a selection of an application will start said application, and that a selection of a file will open said file in an application intended for said file~~.

7. (currently amended) The computer readable medium of claim **6**, wherein the user interface is characterised in, that a selection of an application or file is done by ~~moving~~ gliding the ~~blunt~~ object along said touch sensitive area so that a representation of a desired one of said application or file is highlighted, ~~removing~~ raising said object from said

touch sensitive area, and then tapping on said touch sensitive area~~, and that said desired one of said application or file is highlighted by placing some kind of marking on said representation of said application or file~~.

8. (currently amended) The computer readable medium of claim **7**, wherein the user interface is characterised in, that at any given time said list ~~is adapted to present~~ presents only ~~said~~ files or only ~~said~~ applications, and that ~~a top~~ an area of said list presents a field through which ~~the content of~~ said list can be ~~altered~~ changed from presenting files to presenting applications, or from presenting applications to presenting files~~, that, if said list only presents files, said field displays a representation of a task manager and a selection of said field will cause said list to alter to present only applications, and that, if said list only presents applications, said field displays a representation of a file manager and a selection of said field will cause said list to alter and present only files~~.

9. (currently amended) The computer readable medium of claim **7**, wherein the user interface is characterised in, that, [[a]] navigation in said list is performed by ~~moving~~ gliding the ~~blunt~~ object along the touch sensitive area in a direction towards the top of said list or towards the bottom of said list~~, that the movement of the blunt object will cause said marking to move in the same direction, and that the speed of movement of said marking is lower than the speed of movement of the blunt object~~.

10. (currently amended) The computer readable medium of claim **9**, wherein the user interface is characterised in, that, if the number of applications ~~and/~~or files in said list exceeds the number of ~~application~~

applications [[and]] or files that can be presented on said ~~display~~ touch sensitive area as content, and if the ~~blunt~~ object is ~~moved~~ glided along said touch sensitive area to the top or bottom position of said ~~display~~ touch sensitive area, then ~~lifted~~ raised, replaced on said ~~display~~ touch sensitive area, and again ~~moved~~ glided along said touch sensitive area to the top or bottom of said ~~display~~ touch sensitive area, the content of said ~~display~~ touch sensitive area will be replaced one whole page~~, meaning that if the blunt object is positioned at the bottom of said display area, replaced on said display area, and then again moved to the bottom of said display area, the content of said display area will be replaced by the following applications and/or files in said list, and if the blunt object is positioned at the top of said display area, then lifted, replaced on said display area, and then again moved to the top of said display area, the content of said display area will be replaced by the preceeding applications and/or files in the list~~.

11. (currently amended) The computer readable medium of claim **10**, wherein the user interface is characterised in, that if the ~~blunt~~ object is ~~removed~~ raised from any first position on said ~~display~~ touch sensitive area and then replaced on any second position on said ~~display~~ touch sensitive area, said navigation can be continued from said second position.

12. (currently amended) The computer readable medium of claim **1**, wherein the user interface is characterised in, that an active application, function, service or setting is moved on one step by ~~moving~~ gliding the ~~blunt~~ object along the touch sensitive area from ~~the~~ left ~~of said display area~~ to ~~the~~ right ~~of said display area~~, and that the active application,

function, service or setting is closed or backed one step by ~~moving~~ gliding the ~~blunt~~ object along the touch sensitive area from ~~the~~ right ~~of said display area~~ to ~~the~~ left ~~of said display area~~,

13. (currently amended) The computer readable medium of claim **1**, wherein the user interface is characterised in, that said ~~menu area is positioned~~ representations of said plurality of functions are located at the bottom of said touch sensitive area~~, that said representation of said first function is positioned at the left side of said menu area, that said representation of said second function is positioned at the middle of said menu area, and that said representation of said third function is positioned at the right side of said menu area~~.

14. (currently amended) The computer readable medium of claim **1**, wherein the ~~user interface is characterised in, that said user interface is adapted to a~~ touch sensitive area ~~with a size that~~ is 2-3 inches in diagonal dimension~~, and that said user interface is adapted to be operated by one hand when the mobile handheld computer unit is held in the one hand, wherein said blunt object is a fleshy part of the thumb of the one hand~~.

15. (currently amended) An enclosure adapted to cover the mobile handheld computer unit according to Claim **1**, characterised in, that said enclosure is provided with an opening for said ~~display~~ touch sensitive area~~, and that a representation of said menu area is printed on top of said enclosure~~.

16. (previously presented) The enclosure according to Claim **15**, characterised in, that said enclosure is removable and exchangeable.

17. (previously presented) A computer readable medium, with a computer program product stored therein, characterised in, that said computer program product comprises computer readable code, which, when read by a computer, will make it possible for said computer to present a user interface according to Claim **1**.

18. (original) A computer readable medium according to Claim **17**, characterised in, that said computer program product is adapted to function as a shell upon an operations system.

19. (withdrawn) An apparatus, comprising:

a computing device configured to provide a plurality of features and/or services to a user, said computing device including a user interface that comprises:

a touchscreen for displaying to the user, individually at differing times, a plurality of display screens corresponding to said plurality of features and/or services and for allowing the user to navigate among said various differing features and/or services and among said plurality of display screens; and

user interface software responsive to interaction of an object with said touchscreen so as to allow the user to navigate among said plurality of features and/or services and among said plurality of display screens, said user interface software configured to:

when said touchscreen is displaying a first display screen of said plurality of display screens, cause said computing device to display a second display screen of said plurality of display screens in response to a first sweeping movement of the object along said touchscreen in a first direction, said computing device displaying said

second display screen after the object has traversed a first predetermined extent of said touchscreen along said first direction; and

when said touchscreen is displaying said second display screen, cause said computing device to display said first display screen in response to a second sweeping movement of the object along said touchscreen in a second direction opposite said first direction, said computing device displaying said first display screen only after the object has traversed a second predetermined extent of said touchscreen along said second direction.

20. (withdrawn) An apparatus according to claim **19**, wherein said touchscreen has a left edge and a right edge when said touchscreen is properly oriented for viewing by the user and said first direction proceeds from a location at or proximate said left edge toward said right edge and said second direction proceeds from a location at or proximate said right edge toward said left edge.

21. (withdrawn) An apparatus according to claim **20**, wherein said touchscreen has a width extending from said left edge to said right edge and each of said first and second extents is substantially equal to said width.

22. (withdrawn) An apparatus according to claim **21**, wherein said touchscreen has a diagonal dimension of two inches to three inches.

23. (withdrawn) An apparatus according to claim **19**, wherein said computing device is sized to be cradled in a hand of an adult human user and so that, when so cradled, all points on said touchscreen are touchable

by the thumb of the adult human user, the object being the thumb of the hand.

24. (withdrawn) An apparatus according to claim **19**, wherein each of the first and second sweeping movements does not drag any graphical feature displayed on said touchscreen during that one of the first and second sweeping movements.

25. (withdrawn) An apparatus, comprising:

a computing device configured to provide first and second menu-area functions to a user, said first menu-area function having a first-function display screen and said second menu-area function having a second-function display screen differing from said first-function display screen, said computing device including a user interface that comprises:

a touchscreen simultaneously divided into a menu region and a display region, said menu region containing first and second representations corresponding respectively to said first and second menu-area functions, said display region for displaying to the user at differing times said first-function and second-function display screens; and

user interface software responsive to interaction of an object with said touchscreen so as to allow the user to select at differing times each of said first and second menu-area functions, said user interface software configured to:

display said first-function display screen in response to a first sweeping movement of the object along said touchscreen, the first sweeping movement starting at said first

representation in said menu region and proceeding into said display region; and

display said second-function display screen in response to a second sweeping movement of the object along said touchscreen, the second sweeping movement starting at said second representation in said menu region and proceeding into said display region.

26. (withdrawn) An apparatus according to claim **25**, wherein:

said touchscreen has a first edge and a second edge spaced from said first edge;

said first and second representations are each located proximate said first edge and spaced from one another along said first edge; and

the first and second sweeping movements each proceed in a direction toward said second edge.

27. (withdrawn) An apparatus according to claim **25**, wherein said first-function display screen contains a plurality of icons corresponding respectively to a plurality of applications, said user interface software configured to activate any one of said plurality of applications in response to the user tapping the object on said touchscreen at a corresponding one of said plurality of icons.

28. (withdrawn) An apparatus according to claim **27**, wherein said second-function display screen contains a set of application functions, said set varying as a function of which one of said plurality of applications is active when the user makes the second movement.

29. (withdrawn) An apparatus according to claim **27**, wherein a particular application of said plurality of applications has a plurality of application screen displays, said user interface software configured so that when said particular application is active, the user forwardly steps through said plurality of application screen displays by sweeping the object across said touchscreen in a first direction and reversely steps through said plurality of application screen displays by sweeping the object across said touchscreen in a second direction opposite said first direction.

30. (withdrawn) An apparatus according to claim **25**, wherein said first display screen contains a soft-interface telephony keypad.

31. (withdrawn) An apparatus, comprising:

a computing device configured to run a software application configured to display a plurality of predetermined display screens, said computing device including a user interface that comprises:

a touchscreen for displaying to the user, individually at differing times, said plurality of predetermined display screens and for allowing the user to navigate among said plurality of predetermined display screens; and

user interface software responsive to interaction of an object with said touchscreen so as to allow the user to navigate among said plurality of predetermined display screens, said user interface software configured to:

activate said software application in response to a particular interaction of the object with said touchscreen;

forwardly step in series through ones of said plurality of predetermined display screens in response to corresponding respective individual instances of a first sweeping movement of the object along said touchscreen in a first direction; and

reversely step in series through ones of said plurality of predetermined display screens in response to corresponding respective individual instances of a second sweeping movement of the object along said touchscreen in a second direction different from said first direction.

32. (withdrawn) An apparatus according to claim **31**, wherein said particular interaction of the object with said touchscreen to activate said software application is a third sweeping movement of the object along said touchscreen in a third direction different from each of said first and second directions.

33. (withdrawn) An apparatus according to claim **32**, wherein said first and second directions are opposite one another and said third direction is perpendicular to each of said first and second directions.

34. (withdrawn) An apparatus, comprising:

a computing device configured to run software for providing to a user a plurality of services and/or functions, said computing device including:

a touchscreen for display to the user a graphical user interface and for allowing the user to navigate among said plurality of services and/or functions; and

user interface software responsive to interaction of an object with said touchscreen so as to allow the user to navigate among said plurality of services and/or functions, said user interface software configured to:

present, in response to a sweeping movement of the object across said touchscreen, a display screen containing a plurality of display icons corresponding respectively to ones of said plurality of services and/or functions, the sweeping movement being spatially uncorrelated with information displayed on said touchscreen; and

when said touchscreen is displaying said plurality of display icons, launch one of said plurality of services and/or functions in response to the user tapping the object on said touchscreen at a location where said touchscreen displays the corresponding one of said plurality of display icons.

35. (withdrawn) An apparatus according to claim **34**, wherein said computing device contains a software application and said user interface is configured to present said plurality of display icons only if said software application is active during the sweeping movement of the object.

36. (withdrawn) An apparatus according to claim **35**, wherein when said software application is active during the sweeping of the object, said display icons correspond to services and/or functions specific to said software application.

37. (withdrawn) An apparatus, comprising:

a computing device containing software for providing to a user a plurality of services and/or functions, said computing device including:

a touchscreen for displaying to the user, individually at differing times, ones of various display screens associated with said plurality of services and/or functions and for allowing the user to navigate among said plurality of display screens so as to provide the user with access to said plurality of services and/or functions and for allowing the user to control functioning of ones of said plurality of services and/or functions; and

user interface software responsive to a set of movements of an object with respect to said touchscreen so as to allow the user to navigate among said plurality of display screens and to control functioning of ones of said plurality of services and/or functions, said set of movements including a plurality of sweeping movements having differing directionalities along said touchscreen, wherein said plurality of sweeping movements being spatially uncorrelated with information displayed on said touchscreen, said user interface software being configured to distinguish the plurality of sweeping movements from one another as a function of the differing directionalities so as to provide differing responses as a function of said differing directionalities.

38. (withdrawn) An apparatus according to claim **37**, wherein two sweeping movements of the plurality of sweeping movements have opposing directionality and said user interface software is configured to provide two opposing responses corresponding respectively to said two sweeping movements.

39. (withdrawn) An apparatus according to claim **38**, wherein one of the two opposing responses is moving forward in a series of display screens and the other of the two opposing responses is moving backward in the series of display screens.

40. (withdrawn) An apparatus according to claim **37**, wherein each of the plurality of sweeping movements does not drag any graphical feature displayed on said touchscreen during that one of the plurality of sweeping movements.

41. (withdrawn) An apparatus, comprising:

a computing device configured to provide a plurality of features, settings, applications and/or services to a user, said computing device including a user interface that comprises:

a touchscreen for displaying to the user a list of items corresponding to at least one of a plurality of features, settings, applications and/or services and for allowing the user to select any one of said items using said list; and

user interface software responsive to interaction of an object with said touchscreen so as to allow the user to navigate among said list and to select any one of said items, said user interface software configured to move a highlight marking, having a displayed location on said touchscreen, in a desired direction within said list in response to the user:

(a) contacting said touchscreen with the object at a first location that is a function of the desired direction, not said displayed location of said highlight marking;

(b) while keeping the object in contact with said touchscreen, moving the object along said touchscreen in the desired direction to a second location; and

(c) immediately following said moving of the object along said touchscreen to said second location, lifting the object from said touchscreen so as to establish a new location of said highlight marking.

42. (withdrawn) An apparatus according to claim **41**, wherein said user interface software is configured to, after the user has marked a desired one of said items by performing steps (a) through (c) so as to highlight said desired one with the highlight marking, select said desired one in response to the user tapping the object on said touchscreen without regard to said display location of the highlight marking.

43. (withdrawn) An apparatus, comprising:

a computing device configured to provide a plurality of features, settings, applications and/or services to a user, said computing device including a user interface that comprises:

a touchscreen for displaying to the user a list of items corresponding to at least one of said plurality of features, settings, applications and/or services and for allowing the user to select any one of said items using said list; and

user interface software responsive to interaction of an object with said touchscreen so as to allow the user to scroll said list and to select any one of said plurality items, said user interface software configured to scroll said list in a desired direction in response to the user:

(a) contacting said touchscreen with the object at a first location that is a function of the desired direction of said scroll and that is not based on any soft scroll control displayed on said touchscreen; and

(b) while keeping the object in contact with said touchscreen, moving the object along said touchscreen in the desired direction to a second location, wherein said moving of the object causes said list to scroll in the desired direction.

44. (withdrawn) An apparatus according to claim **43**, wherein said user interface software is configured to activate a selected one of said items in response to a user tapping the object on said touchscreen following the user lifting the object from the touchscreen after the user performs step (b).

45. (withdrawn) An apparatus according to claim **43**, wherein said items are files.

46. (withdrawn) An apparatus according to claim **43**, wherein said items are email messages.

47. (withdrawn) An apparatus according to claim **43**, wherein each item is contact information for a corresponding contact.